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GOVERNMENT OF INDIA  
**SECRETARIAT OF THE GOVERNOR-GENERAL  
(REFORMS)**

NOTIFICATION

*New Delhi, the 14th August, 1947.*

**No. G.G.O. 23.**—The following Order made by the Governor-General is published for general information :

**THE INDIAN NAVAL FORCES (TEMPORARY GOVERNANCE)  
ORDER, 1947.**

WHEREAS sub-section (1) of section 11 of the Indian Independence Act, 1947, provides that the orders to be made by the Governor General under the preceding provisions of that Act shall make provision for the command and governance of the Indian armed forces of His Majesty until the division of the said forces between the New Dominions is completed :

NOW, THEREFORE, in exercise of the powers conferred by the said Act the Governor-General is pleased to make the following Order to provide for the command and governance of the Indian Naval Forces of His Majesty until the division thereof is completed :—

1. (1) This Order may be called the Indian Naval Forces (Temporary Governance) Order, 1947.

(2) It shall come into force on the fifteenth day of August, 1947. (hereinafter referred to as the appointed day) and shall remain in force up to the thirty-first day of March, 1948, or such earlier or later date as the Joint Defence Council may by notification in the *Gazette of India* and the *Gazette of Pakistan* specify in this behalf.

2. In this Order—

(1) the expression “Indian naval forces” includes all His Majesty’s naval forces existing before the appointed day and also the naval forces of India and the naval forces of Pakistan ;

(2) “India” means the Dominion of India ;

(3) “Pakistan” means the Dominion of Pakistan ;

(4) "the said Act" means the Naval Discipline Act as set out in the First Schedule to the Indian Navy (Discipline) Act, 1934.

3. Notwithstanding anything contained in regulation (2) of section 58 of the said Act as in force as a law of India and as in force as a law of Pakistan, an officer on full pay of a rank specified in the said regulation shall be qualified to sit as a member of any court martial held in pursuance of the said Act as so in force if—

- (a) he belongs to the regular naval forces of India, or
- (b) he belongs to the regular naval forces of Pakistan, or
- (c) he belongs to His Majesty's regular naval forces other than Indian naval forces and is attached to or serving with the regular naval forces of India or of Pakistan.

4. Regulation (7) of section 58 of the said Act as in force as a law of India and as in force as a law of Pakistan shall have effect as if for the word "captain" there were substituted the words "substantive or acting commander".

5. Notwithstanding anything contained in regulation (9) of section 58 of the said Act as in force as a law of India and as in force as a law of Pakistan, the officer to whom the Central Government of India or of Pakistan is empowered to grant commissions authorising him to order courts-martial to be held for the trial of offences under the said Act as so in force may be—

- (a) an officer belonging to the regular naval forces of India, or
- (b) an officer belonging to the regular naval forces of Pakistan, or
- (c) an officer belonging to His Majesty's regular naval forces other than Indian naval forces who is attached to or serving with the regular naval forces of India or of Pakistan.

6. A person in or belonging to the naval forces of India who is serving in a ship or naval establishment belonging to the naval forces of Pakistan or who is on board any such ship or any such establishment awaiting passage or conveyance to any destination shall for all purposes of command and discipline be subject to the laws and customs for the time being applicable to ships and naval forces of Pakistan.

7. A person in or belonging to the naval forces of Pakistan who is serving in a ship or naval establishment belonging to the naval forces of India or who is on board any such ship or any such establishment awaiting passage or conveyance to any destination shall for all purposes of command and discipline be subject to the laws and customs for the time being applicable to ships and naval forces of India.

8. Officers and men of non-Asiatic domicile who immediately before the appointed day belonged to the Royal Indian Navy or its reserves shall, whether or not they have volunteered for further service with the naval forces of India or of Pakistan, be borne on the books of a Royal naval ship and while so borne shall be subject to the laws and customs for the time being applicable to the Royal Navy until they are finally discharged.

9. Officers and men of Asiatic domicile who immediately before the appointed day belonged to the Royal Indian Navy or its reserves and who have not volunteered to serve in the naval forces of India or of Pakistan shall, until they are duly discharged from service, be borne on the books of the ship in which they were serving immediately before the appointed day and shall be subject for all purposes of command and discipline to the laws and customs for the time being applicable to the Navy to which such ships belong.

MOUNTBATTEN OF BURMA,  
*Governor-General.*

K. V. K. SUNDARAM,  
*Officer on Special Duty.*

